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7 **UNITED STATES DISTRICT COURT**  
8 **FOR THE WESTERN DISTRICT OF WASHINGTON**  
9 **AT SEATTLE**

10 Agustín RAMON RUCKSTUHL, aka  
11 Agustín RAMON

Plaintiff/Petitioner,

12 v.

13 Kevin MCALEENAN, et. al.

Defendants/Respondents.

No. 2:19-cv-1087-RSM-MAT

**JOINT STIPULATION AND  
ORDER OF DISMISSAL**

14  
15 **STIPULATION**

16 WHEREAS Plaintiff filed a Complaint for Mandamus and Injunctive Relief and  
17 Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241 on July 15, 2019,  
18 alleging inadequate medical care by Defendants and challenging his detention pending  
his removal from the United States. Dkt. No. 1.

19 WHEREAS Plaintiff is no longer seeking relief from removal from the United  
20 States, and has agreed to return to France, his country of origin.

21 WHEREAS the Plaintiff's complaint and habeas petition is moot and should be  
22 dismissed without fees or costs to either party.

1 NOW THEREFORE, the parties, through their respective counsel of record, do  
2 hereby stipulate and agree, and respectfully request, that the Court make and enter the  
3 following order:

4 Plaintiff's Complaint for Mandamus and Injunctive Relief and Petition for Writ  
5 of Habeas Corpus pursuant to 28 U.S.C. § 2241 is DISMISSED without prejudice and  
6 without fees or costs to either party.

7 SO STIPULATED.

8 DATED this 6th day of September, 2019.

9 BRIAN T. MORAN  
10 United States Attorney

11 /s Michelle R. Lambert

12 MICHELLE R. LAMBERT NYS #4666657  
13 Assistant United States Attorney  
14 1201 Pacific Avenue, Suite 700  
15 Tacoma, WA 98402  
16 Telephone No. (253) 428-3824  
17 E-mail: Michelle.lambert@usdoj.gov  
18 Attorney for Defendants

19 SO STIPULATED.

20 DATED this 6th day of September, 2019.

21 THORWARD IMMIGRATION LAW, PLLC

22 /s Minda A. Thorward

23 MINDA A. THORWARD WSBA#47594  
5600 C Rainier Ave S, Ste. 208  
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Attorney for Plaintiff

**ORDER**

IT IS SO ORDERED. Plaintiff's Complaint for Mandamus and Injunctive Relief and Petition for Writ of Habeas Corpus is DISMISSED without prejudice and without fees or costs to either party.

DATED this 13<sup>th</sup> day of September, 2019.



RICARDO S. MARTINEZ  
CHIEF UNITED STATES DISTRICT JUDGE